

Case No. BZA 35-79 - Phoenix
Supply requests exception to
permit reduction of req. off-
street parking spaces from
24 to 12 on prop. zoned "E" &
gen. loc. on the east side of
Patterson Ave. & 1st St.

ACTION

B7A
35-79

COMMITTEE

approved

DATE

8-28-79

M.A.P.C. _____

B.C.C./B. CO. C. _____

POSTED

9-1-79

9-17-79

✓ 200' MAPD

✓ 200' CI 9-17-79

✓ RECORDED

Case No. BZA 35-79 - Phoenix
Supply requests exception to
permit reduction of reg. off-
street parking spaces from
24 to 12 on prop. zoned "E" &
gen. loc. on the east side of

Map No. 5545
 Sec. 33
 Twp. 27
 Range 1E

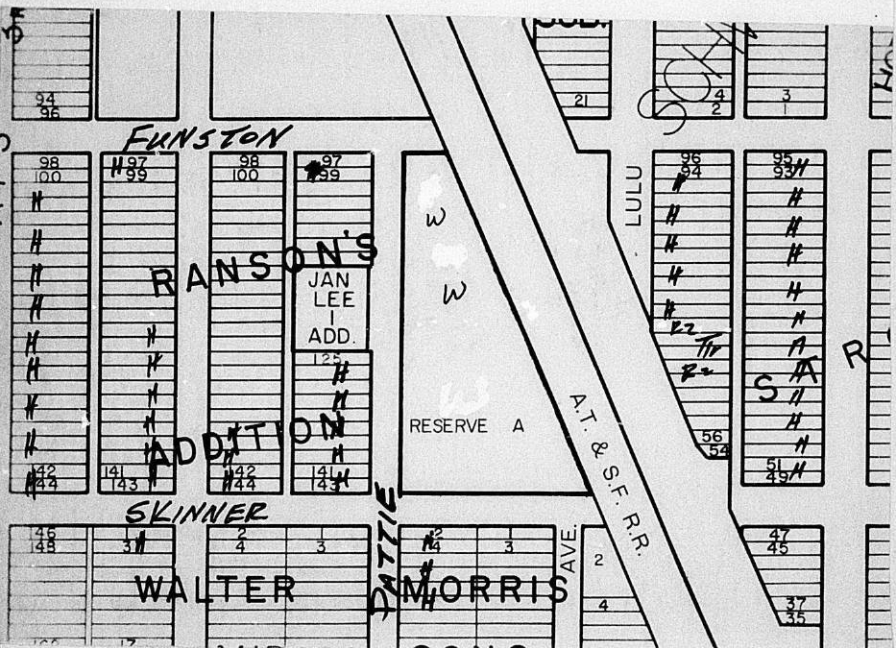
BZA- 35-79
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:

1. Acres: 2.97 (211 ft. by 615 ft.)
2. Adjoining Zoning: E E S B+E W B+E N E
3. Land Use: East A.T. & S.F. RR South SINGLE FAM
 West SINGLE FAM North _____
4. Sketch Plan Land Use is for: _____
5. Present Land Use if for: MACHINE SHOP WRECKING YARD
6. Area (is) (is not) platted.

PHOTO DATA:

Taken by _____ Date _____ Time _____



BZA

S
 No. 2153C
 HASTINGS, MN - LOS ANGELES
 LOGAN, OH - WASHINGTON, TX, U. S. A.

THE CITY OF WICHITA

OFFICE OF Central Inspection

DATE December 8, 1983

TO Glen E. Lytle, Special Assistant for Zoning

FROM Doug Thornburg, Building Code Administrator

SUBJECT

Attached is a copy of the off-street parking plan indicating 18 off-street parking spaces. This number of spaces is equal to that required by BZA 35-79.

In an inspection of the property on December 7, 1983, all 18 spaces as indicated were occupied.

The 18 spaces have all been recently striped and appear to adequately satisfy the BZA requirements.



Doug Thornburg
Building Code Administrator

DWT:wgm

cc: Robert Feldner
Superintendent of Central Inspection

Attachment

RECEIVED

DEC 9 1983

METROPOLITAN PLANNING

ROUTE _____

THE CITY OF WICHITA
OFFICE OF Central Inspection

DATE November 29, 1983

TO Glen E. Lytle, Special Assistant for Zoning
FROM Robert B. Feldner, Superintendent of Central Inspection

SUBJECT Reply - BZA 35-79
Variance for Parking
(1826 Pattie)

The attached letter to the owner of the subject property dated 11-28-83 indicates that he has been instructed to comply with the terms of BZA 35-79.

If we have not been contacted by 12-15-83, we will issue the first formal notice of violation at that time and follow through with the normal course of legal action.


Robert B. Feldner
Superintendent of Central Inspection

RBF:wgm

Attachment

RECEIVED

DEC 6 1983

METROPOLITAN PLANNING

ROUTE _____

THE CITY OF WICHITA



November 28, 1983

DEPARTMENT OF HOUSING AND
ECONOMIC DEVELOPMENT
CENTRAL INSPECTION DIVISION
CITY HALL - SEVENTH FLOOR
435 NORTH MAIN STREET
WICHITA, KANSAS 67202

Gene J. Patry
Phoenix Supply Inc.
1826 Pattie
Wichita, Kansas 67211

Dear Mr. Patry:

Previous correspondence from yourself to this department dated January 7, 1983 indicated your willingness to stripe eighteen parking spaces per BZA 35-79. An inspection of the site earlier this month found no evidence of this work being completed.

Conditions of BZA Resolution 35-79 require a parking plan be approved by this office, and upon approval, the spaces shall be striped accordingly.

Hopefully this issue will be resolved in the very near future. If you have any questions, feel free to call this office.

Sincerely,

Douglas W. Thornburg
Building Code Administrator

DWT:wgm

SUPERINTENDENT OF CENTRAL INSPECTION 268-4460
BUILDING CODE ENGINEER 268-4463
PLAN EXAMINATION 268-4477

HOUSING 268-4481
ZONING 268-4479
SIGNS 268-4475

BUILDING & CONSTRUCTION 268-4461
PLUMBING & MECHANICAL 268-4471
ELECTRICAL & ELEVATOR 268-4466

November 2, 1983

Robert B. Feldner, Superintendent of Central Inspection

Glen E. Lytle, Special Assistant for Zoning

BZA 35-79 - Variance for Parking (1826 Pattie)

Attached is a copy of a memo sent to you on November 22, 1982 related to the variance for off-street parking at 1826 Pattie. I have not received an approved off-street parking plan showing the 18 required off-street parking spaces as set forth in Resolution BZA 35-79.

Would you please contact the applicant and his agent so that this matter may be finalized and into compliance with the action of the Board. In accordance with the file, this is the 6th memo regarding this matter.

I would appreciate a response on any action taken to resolve this matter.

Glen E. Lytle

GEL:sad

Attachment

November 22, 1982

Robert B. Feldner, Superintendent of Central Inspection

Glen E. Lytle, Special Assistant for Zoning

BZA 35-79 - Variance for parking (1826 Pattie)

On August 28, 1979, the Board of Zoning Appeals considered a variance to reduce the number of off-street parking spaces for the construction of a new building for Phoenix Supply at 1826 Pattie. The request was to reduce the number of spaces from 24 to 12. The Board granted a variance to reduce the required number down to 18 and requested that a new site plan be submitted showing this change.

The building has been completed at least two years now, and on at least two occasions memos to you had requested copies of an approved site plan be furnished this office in compliance with the Resolution. I have also had several conversations with Dean Felt, the applicant's agent, requesting that said site plan be submitted.

On November 17, 1982 two copies of the attached site plan were delivered to this office from one of the blue print companies. As you will note, the site plan only reflects the provision for 12 surfaced off-street parking spaces. I do not know if this is the number of parking spaces that have been provided or not.

I would appreciate if you would have someone follow up on this to assure compliance with the conditions of BZA Resolution 35-79, and furnish a copy of the final approved parking plan.

Glen E. Lytle
Assistant Secretary
Board of Zoning Appeals

GEL:sad

Attachment

November 22, 1982

Robert E. Feldner, Superintendent of Central Inspection

Glen E. Lytle, Special Assistant for Zoning

BZA 35-79 - Variance for parking (1826 Pattie)

On August 28, 1979, the Board of Zoning Appeals considered a variance to reduce the number of off-street parking spaces for the construction of a new building for Phoenix Supply at 1826 Pattie. The request was to reduce the number of spaces from 24 to 12. The Board granted a variance to reduce the required number down to 18 and requested that a new site plan be submitted showing this change.

The building has been completed at least two years now, and on at least two occasions memos to you had requested copies of an approved site plan be furnished this office in compliance with the Resolution. I have also had several conversations with Dean Felt, the applicant's agent, requesting that said site plan be submitted.

On November 17, 1982 two copies of the attached site plan were delivered to this office from one of the blue print companies. As you will note, the site plan only reflects the provision for 12 surfaced off-street parking spaces. I do not know if this is the number of parking spaces that have been provided or not.

I would appreciate if you would have someone follow up on this to assure compliance with the conditions of BZA Resolution 35-79, and furnish a copy of the final approved parking plan.

Glen E. Lytle
Assistant Secretary
Board of Zoning Appeals

GEL:sad

Attachment

January 27, 1982

Robert B. Feldner, Superintendent of Central Inspection

Glen E. Lytle, Special Assistant for Zoning

EZA 35-79, Parking Variance, Phoenix Supply, 1826 Pattie

Attached is a copy of a memo to you dated May 18, 1981. This office has not received any reply. Please advise of status so that this file may be closed.

Glen E. Lytle

GEL:sad

Attachment

May 18, 1981

Robert Feldner, Superintendent of Central Inspection

Glen E. Lytle, Special Assistant for Zoning

EZA 35-79, Parking Variance, Phoenix Supply, 1826 Pattie

On September 12, 1979 a copy of Resolution EZA 35-79 was forwarded to your office for your information and files. This was a variance to reduce the required parking from 24 to 18 spaces.

In accordance with the Resolution, a copy of an approved site plan showing the required 18 spaces was to be furnished to the Secretary. Also bumper guards were to be provided between the paved area and the existing unpaved area of the lot.

One of the Board members has brought to my attention that the building is complete and is not in conformance with the Resolution. Would you please see that a copy of the approved site plan is furnished for our file and that the property is in compliance with the conditions of the Resolution.

Glen E. Lytle
Special Assistant for Zoning

GEL:sad

cc: Jack H. Galbraith

WICHITA-SEDGWICK COUNTY

DATE

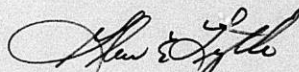
METROPOLITAN AREA PLANNING DEPARTMENT

November 21, 1979

TO Robert Feldner, Supt. of Central Inspection
FROM Glen E. Lytle, Spec. Asst. for Zoning
SUBJECT BZA 35-79

On September 12, 1979 a copy of the Resolution to BZA 35-79 was forwarded to your office for your information and files. The Board of Zoning Appeals approved a variance of the required number of parking spaces down to eighteen and required that a new site plan reflecting this change be submitted to the Secretary of the Board.

I have contacted the applicant, Mr. Dean Felt, and he informs me he no longer has any interest in the project and that the building is under construction. Please forward a copy of the approved parking plan to this office so one can be retained in the file showing compliance with the resolution.



Glen E. Lytle
Spec. Asst. for Zoning

GEL:sad

CC: Jack Galbraith, Chief Planner

September 12, 1979

Dean Felt
Felt Design Service
715 West 13th
Wichita, Kansas 67203

Re: Case No. BEA 35-79
Request for Variance

Dear Mr. Felt:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on August 28, 1979, in connection with your request for a variance to reduce the required off-street parking spaces from 24 spaces to 12 spaces on property zoned the "E" Light Industrial District and generally located on the east side of Pattie between Skinner and Funston (1844 Pattie).

This Resolution reflects the official action of the Board to approve this request, and sets out the conditions of approval. It is forwarded to you for your information and files.

If you have questions concerning this matter, please call our office.

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL:hbc
Enclosure

cc: Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Housing and Zoning Administrator
Don Gisick, City Clerk
Phoenix Supply, Inc., 1826 Pattie 67211

RESOLUTION NO. 35-79

WHEREAS, Phoenix Supply, Inc., 1826 Pattie, Wichita, Kansas, requests a variance as provided in Section 2.12.590.B, Code of the City of Wichita, to reduce the required off-street parking spaces from 24 spaces to 12 spaces for a new building, on property zoned the "E" Light Industrial District and legally described as follows:

Reserve "A" Ransons Addition to the City of Wichita, Sedgwick County, Kansas. Generally located on the east side of Pattie between Skinner and Funston (1844 Pattie).

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of August 28, 1979, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Section 2.12.590.B, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has found that the variance arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant inasmuch as the use of this building will be for the display showing of bathroom layouts and accessories and would be attended by contractors, home builders, owners and employees of the company on an appointment only basis; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents inasmuch as the demand for parking would not be as much for this use as a retail business; and

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of Title 28 (Zoning Ordinance) of which variance is requested will constitute unnecessary hardship upon the property owners represented in the application inasmuch as additional parking spaces above that needed for employees, owners, etc., would have to be provided; and

WHEREAS, the Board of Zoning Appeals has found that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare due to the fact that failure to provide the required off-street parking will not create on-street parking problems; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired will not be opposed to the general spirit and intent of Title 28 (Zoning Ordinance) inasmuch as adequate parking would be provided for the type of use established if reduced to a minimum of 18 spaces; and

WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, to be present before a variance can be granted has been found to exist.

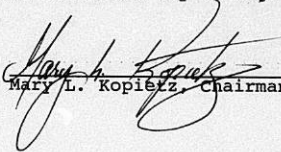
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request for a variance to reduce the required off-street parking spaces from 24 spaces to 12 spaces for a new building on property zoned the "E" Light Industrial District and legally described as:

Reserve "A" Ransons Addition to the City of
Wichita, Sedgwick County, Kansas. Generally
located on the east side of Pattie between
Skinner and Funston (1844 Pattie)

be approved subject to the following conditions:

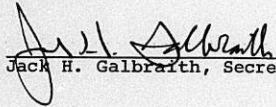
1. The required number of parking spaces shall be a minimum of 18.
2. The parking lot shall be paved, and the area shall be protected from the unpaved area by bumper guards or curbs.
3. Two (2) copies of a revised site plan shall be submitted to the Secretary of the Board.

ADOPTED AT WICHITA, KANSAS, this 28th day of August, 1979 .



Mary L. Kopicz, Chairman

ATTEST:



Jack H. Galbraith, Secretary

August 30, 1979

Dean Felt
Felt Design Service
715 West 13th
Wichita, Kansas 67203

Re: Case No. BZA 35-79
Request for Variance

Dear Mr. Felt:

At the regular meeting of the Board of Zoning Appeals on August 28, 1979, your request for a variance to reduce the required off-street parking spaces from 24 spaces to 12 spaces on property zoned the "E" Light Industrial District and generally located on the east side of Pattie between Skinner and Funston (1844 Pattie) was considered.

It was the action of the Board to approve this request subject to the following conditions:

1. The required number of parking spaces shall be a minimum of 18.
2. The parking lot shall be paved, and the area shall be protected from the unpaved area by bumper guards or curbs.
3. Two (2) copies of a revised site plan shall be submitted to the Secretary of the Board.

A Resolution setting forth the official action of the Board is being prepared and you will be mailed a copy as soon as the signatures of the Chairman and Secretary have been obtained.

Page 2
August 30, 1979
BSA 35-79

If you have any questions, please call our office.

Sincerely yours,

Jack H. Galbraith
Secretary

JHG:bbc

cc: Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Housing and Zoning Administrator
Don Gisick, City Clerk
Phoenix Supply, Inc., 1826 Pattie 67211

RECEIVED

AUG 20 1979

THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE August 16, METROPOLITAN PLANNING

ROUTE

TO Glen Lytle, Special Assistant for Zoning
FROM Shirley Mast, CPO Administrative Aide

SUBJECT BZA 35-79 (East Side of Pattie
between Skinner and Funston -
1844 Pattie)

At its meeting of August 15, CPO Council "E" considered the captioned case. Rene J. Patry, of Phoenix Supply, Inc. was present and provided layout plans and additional information regarding the variance request to the Council. No residents were present to speak in opposition to the case.

After discussion of the request for a variance to reduce the required off-street parking spaces from 24 to 12 spaces, the Council voted unanimously (5-0) to recommend approval of the variance.

The Council indicated that an important factor in its favoring the variance was the fact that Phoenix Supply, Inc. was wholesale plumbing fixtures business only, whereas if retail, traffic flow would possibly be of greater volume and the 24 parking spaces required.

Please provide the Council's recommendation to the Board of Zoning Appeals when this case is considered at the August 28 meeting.

Shirley Mast
Shirley Mast
CPO Administrative Aide

SM:1w

NOTED:

Sarah Gilbert
Sarah Gilbert
Assistant CP Coordinator

SECRETARY'S REPORT
CASE NO. BZA 35-79

APPLICANT: Phoenix Supply, Inc., 1826 Pattie, Wichita, Kansas

AGENT: Dean Felt, 715 W. 13th, Wichita, Kansas

REQUEST: Variance pursuant to Section 2.12.590.B, Code of the City of Wichita, to reduce the required off-street parking spaces from 24 spaces to 12 spaces for a new building.

GENERAL LOCATION: On the east side of Pattie between Skinner and Funston (1844 Pattie).

ZONING: Property is zoned "E" Light Industrial. Property to the north is "E" Light Industrial and to the west and south "E" Light Industrial and "B" Multiple Family. Property to the east is "B" Multiple Family.

LAND USE: Properties to the west of Pattie are residential and industrial. To the north is industrial; to the south is residential and industrial. The east is bounded by the Atchison, Topeka & Santa Fe Railroad and K-15 Highway.

JURISDICTION:

The Board has jurisdiction to consider the variance request under the provisions outlined in Section 2.12.590.B, Code of the City of Wichita. The Board may grant the request when all five of the following conditions are found to exist:

1. That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant.
2. That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.
3. That the strict application of the provisions of Title 28 of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application.
4. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare; and
5. That granting the variance desired will not be opposed to the general spirit and intent of Title 28 (zoning ordinance).

Page 2
Case No. BZA 35-79
BZA AGENDA
8-28-79

COMMENTS BY THE SECRETARY:

The applicant is requesting a variance from the conditions of a recent building permit that required 24 off-street parking spaces, to a reduced number of 12 off-street parking spaces.

The building is for a new sales and display area to be used in conjunction with a plumbing supply business. In the issuance of the building permit, Central Inspection made the determination that this sales building was a commercial building requiring 1 off-street parking space for each 250 square feet of building area, or 24 spaces, and the building permit was issued with a plan showing the required 24 surfaced off-street parking spaces.

The applicant has indicated that the use of this building is for the display showing of bathroom layouts and accessories and would be attended by contractors, home builders, owners and employees of the company on an appointment only basis.

The plan submitted with the application shows that there are two existing warehouses of the company on the site to the north of the new building. It also indicates existing drives and parking on the plan. In viewing the application area in the field, it is noted that none of the existing parking area and drives are surfaced in accordance with the requirements of the zoning ordinance.

UNIQUENESS:

It is the opinion of the Secretary that it is difficult to determine uniqueness due to the fact that there is adequate room on the site to provide the required number of parking spaces.

ADJACENT PROPERTY:

It is the opinion of the Secretary that the variance requested may not adversely affect the rights of adjacent property owners inasmuch as the demand for parking would not be as much for this use as a retail business.

HARDSHIP:

It is the opinion of the Secretary that it is difficult to determine that the strict application of the zoning ordinance would constitute an unnecessary hardship upon the applicant inasmuch as the surfacing and providing the required 24 parking spaces would be less than the surfacing of the existing drives and parking area in conformance with the zoning ordinance.

Page 3
Case No. BZA 35-79
BZA AGENDA
3-28-79

PUBLIC INTEREST:

It is the opinion of the Secretary that the granting of the variance requested will adversely affect the public interest inasmuch as the reduction of the off-street parking spaces will increase the use of the existing parking area which is a gravel and rock surface and does create dust.

SPIRIT AND INTENT:

It is the opinion of the Secretary that the granting of the variance requested would be opposed to the general spirit and intent of the zoning ordinance inasmuch as the intent of the zoning ordinance is to secure compliance with all conditions of the zoning ordinance when substantial additions or changes are made to a zoning lot.

RECOMMENDATION:

It is the recommendation of the Secretary that the variance as requested not be approved. However, should the applicant furnish information on the total number of employees that work at the facility so that a parking demand can be determined, and provided further, the existing drives and parking would be surfaced with asphalt or concrete, then a reduction of the required spaces for the new building could possibly be justified.

THE CITY OF WICHITA

OFFICE OF Central Inspection Division

DATE August 13, 1979

TO Glen E. Lytle, Special Assistant for Zoning

FROM Robert B. Feldner, Superintendent of Central Inspection

SUBJECT BZA 35-79 - Request for a variance
of off-street parking from 24 to
12 spaces

Re: Your memo dated August 9, 1979

An inspection was made and pictures were taken by my staff. We concluded the following:

1. Since the company warehouses fixtures, piping, etc.; the density of public use will be less than retail sales and perhaps a reduction of off-street parking spaces is in order
2. Since the two warehousing buildings have nonconforming rights and the new building is detached on undeveloped land, we are not imposing off-street parking and access restrictions on the previously developed buildings and circulation.

Robert B. Feldner
Robert B. Feldner
Superintendent of Central Inspection

RBF:mml

RECEIVED

AUG 14 1979

METROPOLITAN PLANNING
ROUTE Lytle

August 9, 1979

Robert Feldner, Superintendent of Central Inspection

Glen E. Lytle, Special Assistant for Zoning

BEA 35-79 - Request for a variance of off-street parking
from 24 to 12 spaces.

I am in receipt of an application for a variance from the off-street parking requirements for a new building to be constructed by Phoenix Supply, Inc., at 1844 Pattie. In review of the plot plan submitted, it was noted that there are existing buildings of the company on the zoning lot, which is one large lot occupying the entire east side of the 1800 block of Pattie.

In viewing this property in the field, I find that none of the existing drives and parking as noted on the plan that was submitted, are surfaced in accordance with the requirements of the zoning ordinance. It is my opinion that in the issuance of the building permit for an additional structure on the same zoning lot for the same business, a determination of compliance with the zoning ordinance (Section 28.04.220) should have been made.

In order that the Board of Zoning Appeals may have the appropriate information to make a determination on the requested variance, I would like the following information:

1. What is the total off-street parking requirement for the zoning lot?
2. If off-street parking is presently existing on the lot, where is it located?
3. Are the existing driveways in conformance to the zoning ordinance?

I would appreciate a reply by August 14, 1979, so that a staff report may be prepared and furnished to the Board of Zoning Appeals.

Glen E. Lytle
Special Assistant for Zoning

GEL:bbc
cc: Jack Galbraith, Chief Planner

BZA CASE NO. 25-79

<u>2</u>	NOTICES SENT TO APPLICANT/AGENT
<u>10</u>	NOTICES SENT TO MAPC
<u>1</u>	NOTICES SENT TO CPO
<u>16</u>	NOTICES SENT TO ADJOINING PROPERTY OWNERS
<u>29</u>	TOTAL NOTICES SENT <u>8-8-79</u>

BOARD OF ZONING APPEALS
Tenth Floor - City Hall
455 North Main, Wichita, Kansas 67202

August 8, 1979

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 35-79

An application has been filed by Phoenix Supply, Inc., 1826 S. Pattie, Wichita, Kansas, pursuant to Section 2.12.590.B, Code of the City of Wichita, requesting a variance to reduce the required off-street parking spaces from 24 spaces to 12 spaces on property zoned the "E" Light Industrial District and legally described as follows:

Reserve "A" Ransons Addition to the City
of Wichita, Sedgwick County, Kansas.
Generally located on the east side of
Pattie between Skinner and Funston
(1844 Pattie).

This application has been assigned case No. BZA 35-79, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, August 28, 1979, at 1:30 p.m., in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at which time you may appear if you so desire, either in person or by agent or attorney.

It should be noted that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 268-4516.

Jack H. Galbraith
Secretary

BOARD OF ZONING APPEALS

CASE NO. 35-79

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR VARIANCE

PHOENIX

I. Name of Applicant Phoenix Supply, Inc. ATT: Gene Patry

Mailing Address 1826 S. Pattie Phone 262-7241

Name of Authorized Agent Dean Felt dba/ Felt Design Service

Mailing Address 715 W. 13th St. Phone 264-3248

Relationship of applicant to property is that of Owner
(Owner, Tenant, Lessee, Other)

II. The variance requested is Reduction of required parking spaces
~~(Reduce from 24 spaces required to 12 spaces)~~

for property located on the east side of Pattie between Skinner and
(1844 Pattie)

Question

and legally described as: Reserve "A" Ransons Addition to City
of Wichita, Sedgwick County, Kansas

ok.

in the City of Wichita; and which is presently zoned "E"

III. The applicant herein, or his authorized agent, acknowledges:

- a. That he has received an instruction sheet concerning the filing and hearing of this matter;
- b. That he has been advised of the fee requirements established by Section 2.12.580 of the Code of the City of Wichita (Ordinance No. 24-606); and that the appropriate fee is herewith tendered;
- c. That he has been advised of his right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.
- d. That all documents are attached hereto as noted in paragraphs 2, 3, 4, and 5 of the instructions.

Phoenix Supply, Inc.
Gene Patry
Applicant
Dean Felt
Authorized Agent

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals 115 (~~am~~ - p.m.), 1464 30 1979 together with appropriate fee of \$50.00.

[Signature]

Signed

FELT DESIGN SERVICE

715 W. Thirteenth St. Wichita, KS 67203

316/264-3248



July 30, 1979

City of Wichita
Board of Zoning Appeals
455 N. Main St.
Wichita, KS 67201

We feel we meet the required conditions for a variance for the reduction of the required off-street parking spaces as set forth in Title 28 as stated hereinafter.

1. This variance arises from a condition that is unique to the property, as being zoned "E" Light Industrial, which allows for parking on a basis of employees. The new facility will be used for appointment only display showing of Bathroom layouts and accessories. These will be attended by Contractors, Owners (Home Builders, etc.), and one of Phoenix Supply's employees. Not more than two of the said appointments will be held at any one time, thus a maximum of four cars (two per each) will be parked in the area at any one time, other than one-to-two for Phoenix Supply employees.
2. The granting of this variance will not be adversely affective to the rights of adjacent property Owners; as the area is zoned "E" Light Industrial; thus having the requirement of fewer parking spaces than "C" or "L.C." zoning, and having fewer actual cars in the area because the business is on an appointment only basis.
3. The strict application of the provision of Title 18 will constitute an additional expenditure by the Owner of approximately three thousand, five hundred dollars (\$3,500.00) for paved areas that will not be used.
4. The granting of this variance will not adversely affect the public health safety, morals, order, convenience, prosperity, or general welfare of adjacent property Owners as actual increase of traffic in the area will be minimal, thus causing little or no increase in noise level or congestion.

5. The granting of this variance will not be opposed to the general spirit and intent of Title 28 (Zoning Ordinance) which was designed to relieve hardships to both property Owner and adjacent property Owners. This we feel can be done by granting this variance.

We thank you for your time and consideration of this variance, and feel that your decision will be to the best interest of all concerned.

Sincerely,

Dean Felt
Dean Felt, President
Felt Design Service

DWF:mkf

OWNERSHIP LIST

Lot	Addition	Property Owner
Reserve A	Ranson's Addition	Gene J. Patry 1826 Pattie 67211
lot 1	Jan Lee Addition	<i>D</i> Nance Rental Inc. <i>no listing</i> 1825 South Pattie 67211
lots 97,99,101,103 Pattie	Ranson's Addition	<i>D</i> Nance Rental Inc. 1825 South Pattie 67211
lots 105,107 Pattie	Same	Clair LaVerne Warner deceased
lots 109,111 Pattie	Same	Michael W. Lively, Janet A. Lively, Abbie L. Lively 2834 Bennett 67217
lots 125,127 Pattie	Same	C. H. Hime & Harriett D. 704 South Hillside 67211
lots 129,131 Pattie	Same	L. A. Drehmer & Daisey R. 1843 Pattie 67211
lots 133,135 Pattie	Same	William D. McGilvrey & Louise 1421 East Clark 67211
lots 137,139 Pattie	Same	Ronnie D. Ashe & Brenda S. 1851 Pattie 67211
lots 141,143 Pattie	Same	Charles L. Marchetti & Nadine 1857 Pattie 67211
lot 2, Lulu	Walter Morris & Sons Fifth Addition	Lola I. Price & Charles W. 1927 North Market 67214
lot 4, Lulu	Same	L. E. Nibarger 1951 Crawford 67217
lots 1,3,5, 7,9,11, Lulu	Same	Jacquelyn A. Luke 1202 Maus Lane 67212
lots 1 and 3 Pattie	Same	<i>Ret'd no listing</i> John Charles Billingsley 2208 South Rock Road 67207
lots 5,7,9,11 Pattie	Same	Jack W. Edson 527 West 42nd North 67204
lots 2 & 4 Pattie	Same	Cheryl L. McMillin, Edward N. Clayton, Winifred M. Clayton 2730 Pattie 67216
lots 6 & 8 Pattie	Same	Lockwood K. Grigg Rt. 1, Mulvane, Ks. Marsha Lyn Ward & Jerry Ward 1906 Pattie 67211

Lot	Addition	Property Owner
lots 10 & 12 Pattie	Walter Morris & Sons Fifth Addition	G. C. Nance & Marie A. 4020 East Blake 67218

A tract beginning at a point 850 feet south and 763 feet east of the NW corner of the NE $\frac{1}{4}$ of Section 33-27-1E, thence south along the east line of Laura Avenue, 250 feet; thence East 150 feet; thence South 200 feet to the north line of Funston Avenue; thence East along the north line of Funston Avenue to the West line of the railway row of the Atchison, Topeka and Santa Fe Railway, thence NWly along the west line of said railway row to a point due east of the pob, thence west to the pob.

M Cessna Foundation, Inc.
Address Unknown
Jesling



SECURITY IS KNOWING

Title Insurance • Escrow Closings • Abstracts

We hereby certify the foregoing to be a true and correct list of the property owners of:

A 200 foot radius of: Reserve A,
Ranson's Addition to Wichita

as shown by the last deeds of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 26th day of July, 1979 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE COMPANY, INC.

By

Mary Gable

Vice President

Order No. 279528
wh

BOARD OF ZONING APPEALS

CASE NO. _____

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR VARIANCE

I. Name of Applicant Phoenix Supply, Inc. ATT: Gene Patry

Mailing Address 1826 S. Pattie Phone 262-7241

Name of Authorized Agent Dean Felt dba/ Felt Design Service

Mailing Address 715 W. 13th St. Phone 264-3248

Relationship of applicant to property is that of Owner
(Owner, Tenant, Lessee, Other)

II. The variance requested is Reductinn of required parking spaces.

(Reduce from 24 spaces required to 12 spaces)

for property located 1844 Pattie

and legally described as: Reserve "A" Ransons Addition to City
of Wichita, Sedgwick County, Kansas

in the City of Wichita; and which is presently zoned "E"

III. The applicant herein, or his authorized agent, acknowledges:

- a. That he has received an instruction sheet concerning the filing and hearing of this matter;
- b. That he has been advised of the fee requirements established by Section 2.12.580 of the Code of the City of Wichita (Ordinance No. 24-606); and that the appropriate fee is herewith tendered;
- c. That he has been advised of his right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.
- d. That all documents are attached hereto as noted in paragraphs 2, 3, 4, and 5 of the instructions.

Phoenix Supply, Inc.

Gene Patry

Applicant

Dean Felt

Authorized Agent

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals _____ (a.m. - p.m.), _____ 19 _____ together with appropriate fee of \$50.00.

FELT DESIGN SERVICE

715 W. Thirteenth St. Wichita, KS 67203

316/264-3240



July 30, 1979

City of Wichita
Board of Zoning Appeals
455 N. Main St.
Wichita, KS 67201

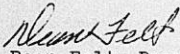
We feel we meet the required conditions for a variance for the reduction of the required off-street parking spaces as set forth in Title 28 as stated hereinafter.

1. This variance arises from a condition that is unique to the property, as being zoned "E" Light Industrial, which allows for parking on a basis of employees. The new facility will be used for appointment only display showing of Bathroom layouts and accessories. These will be attended by Contractors, Owners (Home Builders, etc.), and one of Phoenix Supply's employees. Not more than two of the said appointments will be held at any one time, thus a maximum of four cars (two per each) will be parked in the area at any one time, other than one-to-two for Phoenix Supply employees.
2. The granting of this variance will not be adversely affective to the rights of adjacent property Owners; as the area is zoned "E" Light Industrial; thus having the requirement of fewer parking spaces than "C" or "L.C." zoning, and having fewer actual cars in the area because the business is on an appointment only basis.
3. The strict application of the provision of Title 18 will constitute an additional expenditure by the Owner of approximately three thousand, five hundred dollars (\$3,500.00) for paved areas that will not be used.
4. The granting of this variance will not adversely affect the public health safety, morals, order, convenience, prosperity, or general welfare of adjacent property Owners as actual increase of traffic in the area will be minimal, thus causing little or no increase in noise level or congestion.

5. The granting of this variance will not be opposed to the general spirit and intent of Title 28 (Zoning Ordinance) which was designed to relieve hardships to both property Owner and adjacent property Owners. This we feel can be done by granting this variance.

We thank you for your time and consideration of this variance, and feel that your decision will be to the best interest of all concerned.

Sincerely,



Dean Felt, President
Felt Design Service

DWF:mkf

COPY

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Lot

Addition

Property Owner

lots 10 & 12
Pattie

Walter Morris & Sons
Fifth Addition

G. C. Nance & Marie A.
4020 East Blake 67218

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Address Unknown

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as shown by the last deeds of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 26th day of July, 1979 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE COMPANY, INC.

By

Mary Gable

Vice President

Order No. 279528
wh

MICROFILMED
 FROM THE BEST
 AVAILABLE COPY

FORM 021

PAYMENT NOTICE
 City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Pibg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	H.S.P.

Planning

DESCRIPTION	AMOUNT
CITY 62A	50 ⁰⁰

NAME DEAN FELT

ADDRESS 715 W. 13TH

FUND 110-00-000-000-01-100-000-000

DUE DATE

COMMENTS

DATE 7/20/77 BY *[Signature]*

*

This BZA. Case
Has a Large Drawing
On 35mm Microfilm

Roll # 2